

COUNTY FIRE DEPARTMENT



COUNTY OF SAN BERNARDINO
PUBLIC AND SUPPORT
SERVICES GROUP

OFFICE OF THE FIRE MARSHAL
HAZARDOUS MATERIALS DIVISION
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PAT A. DENNEN
Fire Chief
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July 24, 2006

rcd
7-27-06

CAL EPA UNIFIED PROGRAM
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PO BOX 2815
SACRAMENTO, CA 95812

ATTENTION: DON JOHNSON

SUBJECT: SAN BERNARDINO COUNTY CUPA EVALUATION STATUS

Following is the response to your letter requesting a status report on deficiencies identified during the November 2005 evaluation of the San Bernardino County CUPA. The Action Plans summarized here were described in more detail in the Evaluation Response sent to your office dated January 27, 2006.

Deficiency 1: Not meeting inspection frequencies

Action Plan for Inspection Frequency:

1. The CUPA will perform quarterly measurement of inspection performance.

Status: We continue to measure various indicators of inspection performance quarterly and with each individual work performance evaluation.

2. The CUPA is scheduled to fill three (3) Hazardous Materials Specialist positions in fiscal year 05_06 approximately in March.

Status: 2 positions were filled in March 2006 and are just being released in July 2006 to begin independent inspections. However 1 UST inspector left in the first quarter of 05_06 and 1 non-UST CUPA inspector left in the third quarter of 05_06, so the overall number of inspectors remains approximately the same.

3. The CUPA is formulating fee increases to cover the cost of four (4) additional Hazardous Materials Specialist positions in 06_07.

Status: Operating fees were increased by 15%, effective July 27, 2006. Also several fee exemptions were eliminated, RMP and Tiered Permitting fees were restructured to be per process or unit, and other adjustments were made. This fee increase did allow for 4 additional positions to be budgeted. Recruitment, identification of qualified candidates, selection, and training for at least 3 positions are scheduled for the first quarter of 06-07. Also 1 responder was reassigned leaving a vacancy likely to be filled by an existing inspector in the first quarter of 06_07. A second round of hiring is planned for the third quarter of 06_07 to fill remaining new and vacated positions.

MARK H. UFFER
County Administrative Officer
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Public and Support
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4. The CUPA will continue pursuit of risk-based inspection strategy so that the facilities that present the most risk and complexity stay within the 3-year cycle even when we can't meet the inspection frequency for all sites.

Status: The inspection schedule to begin in September of 2006 will use Envision data to identify high priority facilities that have not been inspected within frequency mandates. These include RCRA LQG facilities, CalARP, Tiered Permitting facilities, and some EPCRA facilities and some large employers. A specific task force was identified to provide these listings by September 2006.

5. The CUPA will continue to improve capture, coding, and tracking of inspections so the reported data includes all inspections performed.

Status: This is an ongoing process.

6. The CUPA will continue to streamline formal enforcement processes so that less inspector time is required for case preparation. The Division is creating a new AEO process scheduled to be in place and initially implemented by 6/30/2006.

Status: The first AEO was resolved in the third quarter of 05_06. Additional work on the streamlined process for CalARP non-filers is scheduled for the first quarter of 06_07.

Deficiency 2: Not fully regulating agricultural handlers

Action plan for Agricultural Handlers:

Once the additional 05_06 staff are hired and have completed the initial training that allows them to do unaccompanied field activity (probably not until fiscal year 06_07), the CUPA will assign a project team to perform specified tasks to identify agricultural facilities requiring permits and incorporate into guidance documents and inspection plans.

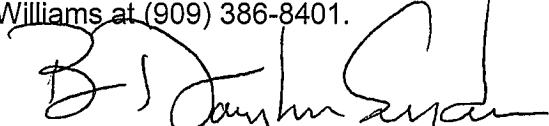
Status: Additional 05-06 staff began unaccompanied field activity in July of 2006. At the June Field staff meeting a task force was charged with initiating the review of agricultural facilities.

Deficiency 3: Not consistently publishing an initial public notice of Risk Management Plans

Action Plan for Initial Public Notices of RMPs: Modified procedure.

Status: The procedure has been changed and the first new or modified RMP filed since the November evaluation was filed on June 9, 2006 and the initial public notice was sent for publication on June 21, 2006, and was published on July 19, 2006. The minor delay was due to the need to make initial publication arrangements with a different paper.

If you need any other information or have any questions, please contact me or Marilyn Kraft or Susan Williams at (909) 386-8401.



B. DOUGLAS SNYDER, ASSISTANT FIRE MARSHAL
San Bernardino County Fire Department, Hazardous Materials Division

Enclosures

BDS:mk

cc: Robbie Morris (Via email)

Peter Brierty, Assistant Fire Chief

Pat Dennen, Fire Chief